

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36483

STATE OF IDAHO,)	2010 Unpublished Opinion No. 368
)	
Plaintiff-Respondent,)	Filed: March 3, 2010
)	
v.)	Stephen W. Kenyon, Clerk
)	
ANTHONY CARLOS NUNES,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Jerome County. Hon. John K. Butler, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of three years, for malicious injury to property, affirmed.

Molly J. Huskey, State Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, GUTIERREZ, Judge
and GRATTON, Judge

PER CURIAM

Anthony Carlos Nunes was convicted of malicious injury to property, Idaho Code § 18-7001. The district court imposed a unified sentence of five years, with a minimum period of confinement of three years, to run consecutively to previously imposed sentences in separate cases. Nunes appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Nunes's judgment of conviction and sentence are affirmed.